

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 17, 1973

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 17, 1973, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFFER
and EHRHARDT (Mayor)

Absent: Councilmen - None

Also present: City Manager Glaves, Assistant City
Manager Peterson, Assistant City Attorney C. M.
Sullivan and Public Works Director Jones. -

INVOCATION

The invocation was given by Mayor Ehrhardt.

PLEDGE

Mayor Ehrhardt led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Pinkerton, Katnich second,
the Minutes of December 20, 1972, were approved as
written and mailed.

On motion of Councilman Katnich, Pinkerton second,
the Minutes of January 3, 1973, were approved as
written and mailed.

PUBLIC HEARINGS

PREZONE AREA
S OF KETTLEMAN,
W OF U.S. 50-99,
N OF CENTURY
BLVD & E OF
S.P. CO. R/W

ORD. NO. 994
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Ehrhardt called for the public hearing on the recommendation of the Planning Commission to prezone from the I-PA, Interim-Protected Agriculture to the M-2, Heavy Industrial District, that County area bounded by Kettleman Lane, Century Boulevard, the Southern Pacific Railroad, and South Stockton Street; and to C-M, Commercial Manufacturing District a 300-foot-wide strip on the east side of South Stockton Street between Kettleman Lane and Almond Drive; and C-2, General-Commercial District the south side of Kettleman Lane between the City Limits approximately 120 feet west of Voelker Drive and 300 feet east of South Stockton Street at a depth determined by a straight line drawn between the north boundary of the northernmost parcels in the Gunsch-Edinger Tract and a point 360 feet south of Kettleman Lane and 300 feet east of South Stockton Street; and to R-2, Single-Family Residential District all that remaining County area north of Almond Drive, east of Stockton Street, south of Kettleman Lane and west of Cherokee Lane.

Public Works Director Jones presented a land use map and discussed the recommendation of the Planning Commission for the rezoning. There was no one in the audience wishing to speak in favor of the rezoning.

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The following persons spoke in opposition to the rezoning:

1. Mr. Ed Reimche, 619 El Capitan Drive. Mr. Reimche said he owned property in the area and he opposed the rezoning as recommended by the Planning Commission. He pointed out what he considered a natural zoning break line at the 800-foot depth.
2. Mr. Ray Wintersteen, 248 East Kettleman Lane. Mr. Wintersteen asked questions concerning the zoning and land use of his property.

There being no others wishing to speak on the proposal, the public portion of the hearing was closed.

After Council discussion, on motion of Councilman Katnich, Hughes second, the Council introduced Ordinance No. 994 rezoning the San Joaquin County area generally south of Kettleman Lane, west of U.S. 50-99 Freeway, north of Century Boulevard and east of Southern Pacific Railroad Company right of way as stated above.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of January 8, 1973:

REZONE
ONE-ACRE
S. SIDE IRIS DR.

The Planning Commission approved the request of Mr. W. E. McMillen for a change in zoning from the R-1, Single Family Residential District to the R-GA, Garden-Apartment Residential District for a one-acre parcel located on the south side of Iris Drive 323 feet west of the west right-of-way line of South Ham Lane. This matter was set for public hearing on February 21, 1973, on motion of Councilman Katnich, Schaffer second.

ACTIONS OF
INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Denied the request of Mr. Elmer Brenning for a Variance to permit the erection of a patio cover in the rear courtyard of a townhouse condominium unit in Town and Country Village, Planned Development District No. 1, southeast corner of West Turner Road and Rutledge Drive.
2. Approved the request of the Lodi Medical Group by Dr. Robert Merwin for a Variance to reduce the required setback for a sign in the Commercial Professional District from 10 feet to 0 feet to permit an identification sign to remain at 510 S. Fairmont Avenue.
3. Denied an appeal by Haight and Morris, Inc. Architects of a Staff interpretation of the Zoning Ordinance requiring a 10-foot rear yard for a proposed medical office expansion west of the C-P, Commercial-Professional - R-MD, Residential - Medium Density zone boundary line at 510 S. Fairmont Ave.

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4. Recommended denial of the request of Merle Timm to divide a 1-acre parcel from a 2.89-acre parcel on the north side of Kettleman Lane approximately 2,640 feet west of Lower Sacramento Road.

COMMUNICATIONS

PT&T - PUC	The City Clerk read a notice of application before the Public Utilities Commission in the matter of the Pacific Telephone and Telegraph Company's request for authority to increase certain intrastate rates and charges applicable to telephone services furnished within the State.
GREYHOUND-PUC	A notice was received of an application before the Public Utilities Commission filed by Greyhound Lines - West requesting to increase its passenger fares for a six percent increase in its passenger fares and expenses and interline express rates.
CVD - LCC DINNER MTG	A notice was read of the quarterly dinner meeting of the Central Valley Division, League of California Cities to be held in Manteca on Thursday, January 25, 1973.
APPEAL - GRAND AUTO, INC.	A letter was read from Attorney Lindsay P. Marshall on behalf of Grand Auto, Inc., appealing the Planning Commission's decision in denying their request to amend the permitted use list in the C-1, Neighborhood-Commercial District. On motion of Councilman Katnich, Schaffer second, the matter was set for public hearing on February 21, 1973.
TRAFFIC- MILLS - ELM INTERSECTION	<p>A letter was read from the Erma B. Reese Parents' Club signed by Mrs. Bea Marsh, President and Mr. E. J. Abatangle, Principal. The letter requested that stop signs be installed on Elm Street at Mills Avenue, making this intersection a four-way stop. A letter was also received from Mrs. Ann Schroeder, 2160 Debbie Lane, supporting the request. Mr. Abatangle, who was in the audience, spoke to the Council concerning the request.</p> <p>After some discussion of the request, the Council referred the matter to the staff for study and recommendation.</p>
TRAFFIC - HALE RD. - CHEROKEE	Mayor Ehrhardt requested the staff to report at the next meeting concerning the Hale Road-Cherokee Lane intersection.
STREET LIGHTS	Councilman Katnich requested the staff to provide the Council with information concerning a street lighting program for the City.
WOODBIDGE SANITARY DISTRICT	The City Manager presented a letter received from the Cities and County of San Joaquin Advisory Planning Association requesting representatives of the City of Lodi to meet and discuss the possibilities of the City contracting with the Woodbridge Sanitary District for treatment of the liquid wastes generated in the Woodbridge area as part of a regional waste treatment plan. On motion of Councilman Hughes, Schaffer second, the

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Council authorized the City staff to meet with the representatives of the Woodbridge Sanitary District to discuss this matter and to report back to the City Council.

PROCLAMATIONS

Mayor Ehrhardt proclaimed the week of March 5 - 11, 1973, as "Adult Continuing Education Week" in the City of Lodi.

Mayor Ehrhardt also proclaimed February 4, 1973, as "Four Chaplains Day" in the City of Lodi.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$197,305.46 were approved on motion of Councilman Katnich, Hughes second.

BANK OF AMERICA PKG LOT PROPOSAL

Mr. James M. Gulley of Continental Services Company, 260 Fifth Street, San Francisco, and representing the Bank of America, presented a proposal to the Council for exchange of parking lots between the Bank of America and the City of Lodi. The plan basically involves the exchange of a City parking lot on Church Street immediately west of the downtown Bank of America building for a lot of equal size on the west side of Sacramento Street between Oak and Pine Streets. The City Manager said the indicated action would be to set the matter for public hearing and at the same time refer it to the Planning Commission for that body's review.

On motion of Councilman Katnich, Hughes second, the Council set the matter for public hearing on March 7, 1973, and authorized the City Manager to obtain an appraisal from a local realtor on the two parcels.

AWARD - SCARBOROUGH DR. STORM DRAIN

City Manager Graves presented bids received for the Scarborough Drive Storm Drain as follows:

RES. NO. 3714

Valley Irrigation Company, Inc.	\$12,752.00
Floyd Johnston Const. Co., Inc.	13,384.00
Parrish, Inc.	14,004.80
Granite Construction Co.	14,116.40
S. M. McGaw Co., Inc.	14,384.00
Teichert Construction	15,432.00
William Burkhardt	16,813.94
McGuire & Hester	17,873.20
Diablo Contractors	18,012.00
W. M. Lyles Company	18,537.60
Reedy & Essex, Inc.	21,424.00
A & E Pipelines, Inc.	23,078.40
von Sosten & Downer	27,100.00

The City Manager recommended the award be made to the low bidder for the amount of the bid.

On motion of Councilman Schaffer, Katnich second, the Council adopted Resolution No. 3714 awarding the contract for the construction of the Scarborough Drive Storm Drain to Valley Irrigation Company, Inc. for a total amount of \$12,752.00

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AWARD -
CENTURY BLVD.
SAN. SEWER &
STORM DRAIN

RES. NO. 3715

City Manager Graves presented bids received for the Century Boulevard Sanitary Sewer and Storm Drain as follows:

Parrish, Inc.	\$64,922.00
Teichert Construction	74,734.60
F. Johnston Construction Co.	74,835.00
S. M. McGaw Company, Inc.	75,502.00
McGuire & Hester	77,952.00
W. M. Lyles, Company	78,774.60
von Sosten & Downer	82,524.00
A & E Pipelines	85,155.30
Diablo Contractors	85,842.00
Valley Engineers, Inc.	97,251.00
Marvin Yadon Construction	93,079.30
Granite Construction Co.	110,570.80

Mr. Graves explained that the low bidder, Parrish, Inc., had indicated a clerical error had been made in their bid. Mr. Miles A. Parrish, President of Parrish, Inc., who was in the audience explained the error and requested his Company be permitted to withdraw its bid.

Assistant City Attorney Sullivan advised the Council that it would be legal to allow the bid to be withdrawn and award the bid to the next lowest bidder.

Councilman Katnich then moved that Parrish, Inc. be allowed to withdraw their bid on the project. The motion was seconded by Councilman Hughes and carried by unanimous vote.

Councilman Hughes moved adoption of Resolution No. 3715 awarding the bid to Teichert Construction for a total of \$74,734.60. The motion was seconded by Councilman Schaffer and carried.

AWARD -
WELLS 16 & 17

RES. NO. 3716

City Manager Graves presented bids received for the drilling of Wells #16 and #17 as follows:

Beylik Drilling, Inc.	\$51,800.00
Grabow Well Drilling Co.	55,640.00
Ben Barrow Company	63,956.00
E. E. Luhdorff Co., Inc.	67,198.90

The City Manager recommended the award be made to the low bidder for the amount of the bid. On motion of Councilman Katnich, Pinkerton second, the Council adopted Resolution No. 3716 awarding the contract for the drilling of Wells #16 and #17 to the low bidder, Beylik Drilling, Inc., for a total amount of \$51,800.

On motion of Councilman Katnich, Schaffer second, the Council then approved special allocations in the amount of \$7,000 for Well #16 and \$6,500 for Well #17.

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AWARD - SCUM
REMOVAL
FACILITIES

RES. NO. 3717

The City Manager presented bids received for the Scum Removal Facilities - 1972, as follows:

S. M. McGaw Co., Inc.	\$10,855.00
Parrish, Inc.	11,200.00
R & W Construction	12,600.00
Knudsen & Richardson	12,950.00
RHC Construction, Inc.	13,900.00

The City Manager recommended the award be made to the low bidder for the amount of the bid.

On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3717 awarding the contract for the Scum Removal Facilities - 1972 to S. M. McGaw Co., Inc. for a total amount of \$10,855.00. The Council then, on motion of Councilman Pinkerton, Schaffer second, approved a special allocation in the amount of \$11,253.05 for the above project.

ACCEPT TOWN
& COUNTRY
VILLA

RES. NO. 3718

The City Manager reported that subdivision improvements in the Town and Country Villa had been completed in accordance with the plans and specifications, and it was now in order to accept the streets therein for inclusion in the City street system. On motion of Councilman Schaffer, Pinkerton second, the Council adopted Resolution No. 3718 accepting the streets in the Town and Country Villa Subdivision as public streets.

ESTABLISH
NO PARKING -
LOCKEFORD ST.

RES. NO. 3719

The City Manager presented a memorandum from the Public Works Director recommending a "No Parking" zone be established on Lockeford Street at Orange Avenue adjacent to George Washington School. On motion of Councilman Hughes, Schaffer second, the Council adopted Resolution No. 3719 establishing a "No Parking" zone on the north side of Lockeford Street from 54 feet east of the centerline of Orange Avenue to 84 feet west of the centerline of Orange Avenue.

TRAFFIC STUDY -
DOWNTOWN
CROSSWALKS

City Manager presented the traffic study prepared by the Public Works Department on downtown midblock crosswalks. The recommendation of the Public Works Director was that midblock crosswalks on School Street not be installed. The Council took no action at this time but continued discussion on the matter to the next regular meeting.

TRAFFIC STUDY -
HAM - LOCKEFORD

The City Manager also presented a traffic study on the intersection of Ham Lane and Lockeford Street prepared by the Public Works Department. The recommendation was for continued enforcement and use of existing traffic control devices. No action was taken.

HUD GRANTS -
VINEWOOD &
TWIN OAKS
PARKS

Mr. Graves presented letters received from the United States Department of Housing and Urban Development stating the City of Lodi's requisitions for HUD funds for the Vinewood and Twin Oaks Parks had been approved. He reported the amount approved as follows: Vinewood Park \$43,740 and Twin Oaks Park \$38,835.

APA JOINT
POWERS
AGREEMENT

On motion of Councilman Schaffer, Katnich second, the City Council authorized the City Manager to sign an amendment to the Joint Powers Agreement of the Cities and County of San Joaquin Advisory Planning Association. This amendment will change the name of that body to San Joaquin County Council of Governments.

LODI AVE.
R/W

City Manager Graves recommended the City Council adopt resolutions authorizing the City Attorney to file for eminent domain proceedings for acquisition of six parcels on Lodi Avenue; said parcels to be used for the widening of Lodi Avenue.

BOETHER
PROPERTY
RES. NO. 3720

On motion of Councilman Katnich, Schaffer second, the Council unanimously adopted Resolution No. 3720 authorizing the City Attorney to start condemnation proceedings for acquisition of the Boether property.

TEXACO, INC.
PROPERTY
RES. NO. 3721

On motion of Councilman Katnich, Pinkerton second, the Council unanimously adopted Resolution No. 3721 authorizing the City Attorney to start condemnation proceedings for acquisition of the Texaco, Inc. property.

GRAND AUTO
PROPERTY
RES. NO. 3722

On motion of Councilman Katnich, Hughes second, the Council unanimously adopted Resolution No. 3722 authorizing the City Attorney to start condemnation proceedings for acquisition of the Grand Auto, Inc. property.

REED & AMBRIZ
PROPERTY
RES. NO. 3723

On motion of Councilman Katnich, Pinkerton second, the Council unanimously adopted Resolution No. 3723 authorizing the City Attorney to start condemnation proceedings for acquisition of the Reed and Ambriz property.

UNGER
PROPERTY
RES. NO. 3724

On motion of Councilman Katnich, Pinkerton second, the Council unanimously adopted Resolution No. 3724 authorizing the City Attorney to start condemnation proceedings for acquisition of the Unger property.

HOUSTON, ET AL
PROPERTY
RES. NO. 3725

On motion of Councilman Katnich, Pinkerton second, the Council unanimously adopted Resolution No. 3725 authorizing the City Attorney to start condemnation proceedings for acquisition of the Houston, et al, property.

L. SACTO. RD.
R/W

The City Manager presented a recommendation from the Public Works Director that the Council authorize the acquisition of easements and rights of way from six property owners on Lower Sacramento Road. The easements are necessary for the extension of the 60 KV loop surrounding the City and the street rights of way are for the Lower Sacramento Road Frontage Road. Mr. Graves explained that the staff had been attempting to acquire the easements on the east side of Lower Sacramento Road but three easements remain to be obtained as well as rights of way from six property owners. The Council discussed the matter and requested that the discussion be continued to the next regular meeting.

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NCPA
RATE
INCREASE

On motion of Councilman Katnich, Pinkerton second, the City Council authorized the City's participation in the amount of \$61,000 in the costs of the Northern California Power Agency's intervention in the proposed rate increase of Pacific Gas and Electric Company.

SANITARY
LANDFILL
STUDY

At the meeting of January 3, 1973, the City Manager reported he had received a copy of the "Plan for Harney Lane Sanitary Landfill Site" from the County of San Joaquin. A copy of that report was then forwarded to each of the Councilmen for their review. Mr. Graves reported that a joint meeting between the County and the City had been scheduled for discussion of the report on January 23, 1973. Councilman Pinkerton said he would be unable to attend on that date and requested the meeting be rescheduled for January 30 so that all members of the Council might attend. The City Manager agreed to reschedule the meeting for January 30, 1973, if this is convenient with the County of San Joaquin.

After some discussion, Councilman Hughes moved the Council endorse the recommendations included in the "Plan for Harney Lane Sanitary Landfill Site" prepared by Charles B. Wong, County Public Works Director, dated January 2, 1973, with the following stipulations:

1. The City Council urge the Board of Supervisors to set the date of July 1, 1974, to take over responsibility for operation of the Landfill.
2. Costs for operation of Harney Lane Sanitary Landfill be adjusted to include a Lodi general government overhead cost and a land use cost starting with fiscal 1972-73.
3. Any revenues from Harney Lane Landfill in excess of operating costs be earmarked for a new site acquisition, for site development and new equipment.
4. Any operating costs in excess of revenues be shared 65 percent by the County of San Joaquin and 35 percent by the City of Lodi.

The motion was seconded by Councilman Schaffer and carried by unanimous vote.

ANNEXATION
AGREEMENT -
GUTHMILLER
& BERRY

The City Manager presented an annexation agreement between Fred A. Guthmiller and Eugene F. Berry and the City of Lodi for Council approval. On motion of Councilman Katnich, Schaffer second, the Council approved the annexation agreement and authorized the City Manager to sign the agreement on behalf of the City.

ORDINANCES

AMENDS
ZONING
ORDINANCE
ORD. NO. 993
ADOPTED

ORDINANCE NO. 993, entitled, "AN ORDINANCE AMENDING SECTION 27-13 OF CHAPTER 27 OF THE CODE OF THE CITY OF LODI ENTITLED "ZONING" AND THEREBY AMENDING THE SIGN REQUIREMENTS," having been introduced at a regular meeting on January 3, 1973, was brought up for passage on motion of

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Councilman Schaffer, Hughes second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:


Ayes: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFER
and EHRHARDT

EXECUTIVE
SESSION

The Council adjourned to an executive session at approximately 11:45 p.m.

ADJOURNMENT

The Council reconvened at 11:52 p.m. There being no further business, the meeting was adjourned on motion of Councilman Katnich, Schaffer second.


Attest: BESSIE L. BENNETT
City Clerk